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March 23, 2020

### VIA ECF AND EMAIL

Honorable Stuart M. Bernstein  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green, Room 723  
New York, NY 10004-1408

Re: *Picard v. Sage Associates, et al.*, Adv. Pro. No. 10-04362 (SMB), *Picard v. Sage Realty, et al.*, Adv. Pro. No. 10-04400 (SMB)

Dear Judge Bernstein:

We are counsel to Irving Picard, Esq., the Trustee for the substantively consolidated liquidation proceedings of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* The final pre-trial conferences in the above-referenced adversary proceedings have been scheduled for March 25, 2020 (Adv. Pro. 10-04362 (SMB), ECF No. 105; Adv. Pro. No. 10-04400 (SMB), ECF No. 105).

Given the uncertainty created by COVID-19, the Trustee's counsel respectfully requests that the Court adjourn the pre-trial conferences until July 29, 2020 to allow the parties to complete all pre-trial matters. On July 29, the Court and the parties can evaluate the feasibility of a trial and/or necessary arrangements to conduct the trial via video, teleconferencing, or some other means approved by the Court.

The Trustee's counsel also proposes the following schedule for pre-trial matters:

Pretrial Activity	Deadline
Parties to Exchange Draft Joint Pre-Trial Order (45 Days Prior)	Monday, June 15, 2020
Parties to Exchange Exhibits and Deposition Designations (30 Days Prior)	Monday, June 29, 2020

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Objections to Exhibits and Deposition Designations to be Exchanged ( <i>14 Days Prior</i> )	Wednesday, July 15, 2020
Motions in <i>Limine</i> Filed ( <i>14 Days Prior</i> )	Wednesday, July 15, 2020
Oppositions to Motions in <i>Limine</i> Filed ( <i>7 Days Prior</i> )	Wednesday, July 22, 2020
Submit Final Joint Pre-Trial Order to Judge Bernstein's Chambers ( <i>7 Days Prior</i> )	Wednesday, July 22, 2020
Proposed Pre-Trial Conference Date	Wednesday, July 29, 2020

The Trustee contacted counsel for the Defendants and he advised that they are considering the Trustee's proposals. Counsel for the Trustee is available should Your Honor have any questions in connection with the foregoing.

Respectfully submitted,

*/s/ Nicholas J. Cremona*

Nicholas J. Cremona  
Partner

cc: Andrew B. Kratenstein (Email)  
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